

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

Case No: 3:18-cr-00577-CRB-1

Case Name: USA v. Michael Richard Lynch
USA v. Stephen Keith Chamberlain

TRIAL SHEET, EXHIBIT and WITNESS LIST

JUDGE:	PLAINTIFF ATTORNEY:	DEFENSE ATTORNEY:
Charles R. Breyer	Adam Reeves, Kristina Green, Robert Leach, Zachary Abrahamson	Gary Lincenberg, Michael Landman Ray Seilie (Chamberlain) Christopher J. Morville Celeste Koeleveld Brian Heberlig Reid Weingarten (Lynch)
TRIAL DATE:	REPORTER(S):	CLERK:
March 27, 2024	Rhonda Aquilina Jennifer Coulthard	Lashanda Scott

PLF NO.	DEF NO.	DATE/TIME OFFERED	I D	RE C	DESCRIPTION	B Y
		9:16 a.m.			Judge cried-in. All jurors present. Court Reporter – Rhonda Aquilina. All parties present. Government direct examination of witness William P. Loomis	
2957			X		Exhibit 2957 previously admitted	
1650			X	X	Exhibit 1650 marked and admitted Email from SzukalskiG to ScottJ re FileTek Quotes- For HP and Morgan Stanley (proposal for two potential deals)	
16481			X	X	Exhibit 16481 marked and admitted FileTek bill to Autonomy for Storhouse software, maintenance, etc.	
16771			X	X	Exhibit 16771 marked and admitted FileTek invoice to Autonomy for software for \$1,768,553.19 (invoice # 1001372)	
14687			X	X	Exhibit 14687 marked and admitted Email from SzukalskiG to BarredaD, cc to LevyL and LoomisB re FAX - \$1 M Autonomy Check . . .	
1746			X	X	Exhibit 1746 marked and admitted Email from LoomisB to LevyL and SzukalskiG re fed ex'ing \$1m check to ScottJ	

1886			X	X	Exhibit 1886 marked and admitted Email from SzukalskiG to LoomisB and SeamansM re \$1.5m transaction ("If the num'ber can be discounted as discussed then I can push to get this placed in Q2.")	
16482			X	X	Exhibit 16482 marked and admitted FileTek bill to Autonomy for Storhouse software, maintenance, etc.	
1984			X	X	Exhibit 1984 marked and admitted Audit Confirm for Filetek	
2280			X	X	Exhibit 2280 marked and admitted Two FileTek invoices related to software sales to Autonomy: 1) \$7,803,000.00 for StorHouse/RM and 2) \$234,090.00 for 3% prompt pay discount	
14690			X	X	Exhibit 14690 marked and admitted Filetek bank statement for August 2011	
2279			X	X	Exhibit 2279 marked and admitted Spreadsheet titled "FileTek Contracts with Autonomy / Billings to Autonomy as Customer" (native file) with total value of \$33,558,890.85	
	9:37 a.m.				Defense (Lynch) cross-examination of witness William P. Loomis	
402			X		Exhibit 402 previously admitted	
615			X		Exhibit 615 previously admitted	
564			X	X	Exhibit 564 marked and admitted Email from SzukalskiG to LoomisB re projected Autonomy royalties (with native attachment)	
615			X		Exhibit 615 previously admitted	
401			X		Exhibit 401 previously admitted	
615			X		Exhibit 615 previously admitted	
694			X		Exhibit 694 previously admitted	
	10:20 a.m. 10:24 a.m.				Jurors on break. Court discussed flow of examination. Court in recess	
	10:42 a.m.				Court reconvened. All jurors present. All parties present. Defense (Lynch) cross-examination of witness William P. Loomis	
13761			X	X	Exhibit 13761 marked and admitted Email from G. Szukalski to S. Egan and J. Scott re FileTek StorHouse pricelist and Transaction Pricing	
800			X		Exhibit 800 previously admitted	
1650			X		Exhibit 1650 previously admitted	
1886			X		Exhibit 1886 previously admitted	
2280			X		Exhibit 2280 previously admitted	
461			X		Exhibit 461 previously admitted	
1090			X		Exhibit 1090 previously admitted	
1085			X		Exhibit 1085 previously admitted	
2229			X	X	Exhibit 2229 marked and admitted Email from SzukalskiG to LoomisB re "immediate ideas" for discussion with Autonomy	

		11:38 a.m.			Defense (Chamberlain) cross-examination of witness William P. Loomis	
800		X			Exhibit 800 previously admitted	
9704		X	X		Exhibit 9704 marked and admitted Email from G. Szukalski to J. Scott, cc: B. Loomis re: RE: Autonomy debtor confirmation request	
1532		X			Exhibit 1532 previously admitted	
1533		X	X		Exhibit 1533 marked and admitted Email from KuH to HeL (Deloitte) attaching confirmation request response (two invoices totalling \$10,000,000.00)	
1086		X	X		Exhibit 1086 marked and admitted Email from B. Loomis to Howard Patrick and Gary Szukalski re comments on "One Off" Reseller Agreement with Autonomy	
402		X			Exhibit 402 previously admitted	
	12:01 p.m.				Court recess	
	12:48 p.m.				Court reconvened. Court Reporter – Jennifer Coulthard . All jurors present. All parties present. Government re-direct examination of witness William P. Loomis	
564		X			Exhibit 564 previously admitted	
402		X			Exhibit 402 previously admitted	
562		X	X		Exhibit 562 marked and admitted Email from SzukalskiG to LoomisB re fully paid license language with Autonomy	
565		X	X		Exhibit 565 marked and admitted Email from DeCloedtM to SemerjianA (FileTek) requesting confirmation of wire payments	
802		X	X		Exhibit 802 marked and admitted Email from Joel Scott to Gary Szukalski with cc to B. Loomis re paperwork for Filetek-Autonomy deal	
	12:57 p.m.				Defense (Lynch) re-cross examination of witness William P. Loomis	
562		X			Exhibit 562 previously admitted	
	12:59 p.m.				Defense (Chamberlain) re-cross examination of witness William P. Loomis	
562		X			Exhibit 562 previously admitted	
	1:01 p.m.				Witness excused	
	1:02 p.m.				Government witness sworn David Truitt	
12		X	X		Exhibit 12 marked and admitted Licensing and Distribution Agreement between Autonomy and MicroLink LLC	
17031		X	X		Exhibit 17031 marked and admitted	

					MicroLink/Autonomy Software License Agreement Addendum for Autonomy licensing Audonomy/Sharepoint Integration Suite (AIS) (\$2.4m)	
17029			X	X	Exhibit 17029 marked and admitted MicroLink/Autonomy Software License Agreement Addendum for Autonomy licensing Audonomy/Sharepoint Integration Suite (AIS) (\$1.88m)	
25			X	X	Exhibit 25 marked and admitted Addendum-Software License Agreement between MicroLink and Autonomy signed by TruittD and KanterA	
17028			X	X	Exhibit 17028 marked and admitted MicroLink/Autonomy Software License Agreement Addendum for Autonomy licensing Audonomy/Sharepoint Integration Suite (AIS) (\$5.2m) (Agreement is dup of that)	
309			X	X	Exhibit 309 marked and admitted Email from CroninJ to TruittD and RizekA re AU Payments	
330			X	X	Exhibit 330 marked and admitted Email from TruittD to HussainS re update	
356			X	X	Exhibit 356 marked and admitted Email from TruittD to KanterA re "Signed LOI" with Attachment	
379			X	X	Exhibit 379 marked and admitted Email from ScottJ to TruittD attaching 2009-12-28 MicroTech PQ.doc (Micro Tech Purchase Quote for Control Point)	
13413			X	X	Exhibit 13413 marked and admitted Dup. 404	
410			X	X	Exhibit 410 marked and admitted Email from TruittD to ScottJ re MicroTech/Autonomy Purchase Quotation (PO not attached)	
429			X	X	Exhibit 429 marked and admitted Purchase Order No. AUT-12-09-001 for 40,000 IDOL Servers Software user licenses	
420			X	X	Exhibit 420 marked and admitted Purchase Order 001359 dated December 31, 2009	
2784			X	X	Exhibit 2784 marked and admitted Closing Statement, Unit Purchase Agreement	
510			X	X	Exhibit 510 marked and admitted M&T Bank Records for January 2010 showing incoming wire for David Truitt from Autonomy	
582			X	X	Exhibit 582 marked and admitted Checking Account Records for MT/DT for January 2010	
13417			X	X	Exhibit 13417 marked and admitted Dup. 572	
		2:01 p.m.			Court in recess	

		2:29 p.m.			Court reconvened. Court Reporter – Jennifer Coulthard. All jurors present. All parties present. Government direct-examination David Truitt	
624			X	X	Exhibit 624 marked and admitted AT&T records for the period March 5, 2010 to April 4, 2010	
1204			X	X	Exhibit 1204 marked and admitted Email from David Truitt to Joel Scott attaching MicroTech ATIC proposal	
1314			X	X	Exhibit 1314 marked and admitted Email from ScottJ to TruittD re MicroTech proposal ("can you please provide us an updated proposal with best and final?")	
1320			X	X	Exhibit 1320 marked and admitted E-mail from David Truitt to Joel Scott, dated December 23, 2010, regarding "Updated Best and Final proposal, out years"	
1328			X	X	Exhibit 1328 marked and admitted Email from LynchM to TruittD re "Re: Thank you and wish for continued success"	
674			X	X	Exhibit 674 marked and admitted Email from Malcolm Hyson to James Chamberlain, attaching two DiscoverTech One Off Reseller Agreements	
786			X	X	Exhibit 786 marked and admitted Statement dated April 30, 2010, for Discover Technologies LLC	
835			X	X	Exhibit 835 marked and admitted Audit Confirm for Discovertech	
954			X	X	Exhibit 954 marked and admitted Email from John Cronin to David Truitt re close direct vs thru DT/MT	
1027			X	X	Exhibit 1027 marked and admitted Email from David Truitt to John Cronin re Citi contract?	
1195			X	X	Exhibit 1195 marked and admitted Email from John Cronin to David Truitt re DiscoverTech wire of \$1,491,604	
16415			X	X	Exhibit 16415 marked and admitted Documents relating to Discover Technologies, LLC (End User: Philip Morris International Management SA) transaction	
16219			X	X	Exhibit 16219 marked and admitted From ken wong to 'lisa harris' <lisah@autonomy.com>'ganesh vaidyanathan' <ganesh.vaidyanathan@autonomy.com> <poppy.prentis @ autonomy.com> re: RE: bank information	
1173			X	X	Exhibit 1173 marked and admitted E-mail from David Truitt to Andrew Kanter, cc'd to Stouffer Egan, regarding "signed doc"	

1356			X	X	Exhibit 1356 marked and admitted E-mail from John Cronin to David Truitt, dated December 31, 2010, regarding "One-Off Reseller Agreement"	
1354			X	X	Exhibit 1354 marked and admitted Agreement dated December 31, 2010, between Autonomy and Discover Technologies regarding Bank of America with \$7 million license fee	
1438			X	X	Exhibit 1438 marked and admitted Email from HysonM to HeL re attached Autonomy debtor confirmation request for three invoices (8679-ANA, 8680-ANA and 8681-ANA)	
1488			X	X	Exhibit 1488 marked and admitted Email from EganC to TruittD, attaching DiscoverTech One Off Reseller Agreement	
1490			X	X	Exhibit 1490 marked and admitted Email from ScottJ to TruittD re letter, requesting signature on VAR agreement	
1492			X	X	Exhibit 1492 marked and admitted Email from TruittD to HysonM re attached VAR letter	
1485			X	X	Exhibit 1485 marked and admitted E-mail from Malcolm Hyson to David Truitt, dated January 25, 2011, regarding "autn_boa"	
1500			X	X	Exhibit 1500 marked and admitted E-mail from David Truitt to Stouffer Egan, dated January 26, 2011, regarding "signed doc"	
1516			X	X	Exhibit 1516 marked and admitted Email from HysonM to TruittD re attached VAR agreement letter	
1512			X	X	Exhibit 1512 marked and admitted Email from ScottJ to ChamberlainS re autn_boa with attached 12/31/10 VAR agreement with DiscoverTech for \$3,675,000	
1491			X	X	Exhibit 1491 marked and admitted Email from ScottJ to TruittD re Discover Technologies, requesting signature on verification of specific sales contracts with Autonomy for Deloitte	
1510			X	X	Exhibit 1510 marked and admitted Email from ChamberlainS to TruittD re Auditors Confirmation	
1503			X	X	Exhibit 1503 marked and admitted E-mail from Stephen Chamberlain to Lee Welham, dated January 26, 2011 regarding "Auditors confirmation"	
1707			X	X	Exhibit 1707 marked and admitted Checking Account Records for Discovertech for March 2011 with \$9.M from MT and \$9M to Autonomy	
16801			X	X	Exhibit 16801 marked and admitted Discover Technologies Invoice for Market Assistance Fee for Bank of America Agreement billed to Autonomy, Inc.	

1684			X	X	Exhibit 1684 marked and admitted E-mail from Joel Scott to David Truitt, dated March 31, 2011, regarding "DiscoverTech – Draft PO's"	
1687			X	X	Exhibit 1687 marked and admitted E-mail from Malcolm Hyson to David Truitt, dated March 31, 2011, regarding "DiscoverTech – Draft PO's"	
1725			X	X	Exhibit 1725 marked and admitted E-mail from David Truitt to Malcolm Hyson, dated April 4, 2011, regarding "Conversation with David M. Truitt"	
1726			X	X	Exhibit 1726 marked and admitted E-mail from David Truitt to Malcolm Hyson, dated April 4, 2011, regarding "Prisa VAR letter agreement"	
5592			X	X	Exhibit 5592 marked and admitted Email from HysonM to StoufferE RE: Prisa VAR	
1730			X	X	Exhibit 1730 marked and admitted E-mail from Jorge Salazar to David Truitt, dated April 6, 2011, regarding "Executed One-Off Reseller Agreements"	
1779			X	X	Exhibit 1779 marked and admitted Email from HysonM to TruittD re audit confirmation (attached)	
1901			X	X	Exhibit 1901 marked and admitted Software Distributor Agreement between Discover Tech and Autonomy dated June 30, 2011.	
1902			X	X	Exhibit 1902 marked and admitted Discover Technologies bank statement for the period ending June 30, 2011	
2059			X	X	Exhibit 2059 marked and admitted Bank statement for Discover Technologies' account at John Marshall Bank for the period ending July 31, 2011.	
1971			X	X	Exhibit 1971 marked and admitted E-mail from Jorge Salazar to David Truitt, dated July 6, 2011, regarding "Discover Tech/Abbott Letter Agreement"	
		3:56 p.m.			Jurors excused until March 28, 2024 at 9:15 a.m. Court adjourned until March 28, 2024 at 9:15 a.m.	